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ILLINOIS COMMERCE COMMISSION

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2006 FEB 28 A 11:16

Docket 06-

CHIEF CLERK'S OFFICE

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Peoples Energy Services Corporation)
)
Petition for Relief to Protect PE Services')
Annual Dekatherm Report from disclosure for)
not less than five years in order to protect)
highly confidential and proprietary information.

PETITION

Peoples Energy Services Corporation ("PE Services"), hereby petitions the Illinois Commerce Commission ("Commission") pursuant to Section 200.430 of the Commission's Rules of Practice (83 Ill. Admin. Code §200.430) for relief to protect from disclosure for not less than five years highly confidential and proprietary information included in PE Services' report stating the total annual dekatherms delivered and sold to residential and small commercial customers within each utility service territory in the preceding calendar year and the total revenues associated with the sale of natural gas to residential and small commercial customers within each utility service territory in the preceding calendar year ("Dekatherm Report"). The Dekatherm Report relates to PE Services' service in the service territories of The Peoples Gas Light and Coke Company, North Shore Gas Company and Northern Illinois Gas Company d/b/a Nicor Gas Company pursuant to Section 19-115 of the Public Utilities Act (the "Act") and 83 Ill. Admin. Code Part 551 ("Part 551"). In support of this Petition, PE Services states the following:

1. PE Services is certified as an alternative gas supplier ("AGS"). The Commission originally granted PE Services a certificate of service to provide services as an AGS in the service territories of The Peoples Gas Light and Coke Company, North Shore Gas

Company and Northern Illinois Gas Company on September 25, 2002 to serve residential customers and on January 7, 2004 to serve small commercial customers.

2. On February 27, 2006, PE Services submitted, via overnight delivery, its Dekatherm Report for filing with the Commission.

3. PE Services' Dekatherm Report contains confidential trade information and market sensitive information regarding PE Services' provision of service to residential and small commercial customers in Illinois. PE Services considers this information highly proprietary and confidential, the disclosure of which to competitors, or potential competitors, would be detrimental to PE Services.

4. The retail gas service industry is highly competitive and it is essential that public disclosure of the proprietary and confidential information contained in the Dekatherm Report be avoided for a period of at least five years because of the competitive harm which disclosure of such information would likely cause PE Services.

5. 83 Ill. Admin. Code Section 551.60 provides, in part, as follows: "If an applicant or AGS believes any of the information to be disclosed by an applicant or AGS is privileged or confidential, the applicant or AGS should request that the Commission enter an order to protect the confidential, proprietary or trade secret nature of any data, information or studies pursuant to 83 Ill. Adm. Code 200.430. The applicant or AGS shall designate which information is privileged and confidential. Such information shall be marked as "confidential" and submitted separately under seal to the Chief Clerk of the Commission." In this instance, PE Services, the AGS, marked its Dekatherm Report as confidential.

6. Section 7(g) of the Illinois Freedom of Information Act provides, in part, that the following are exempt from inspection and copying: "trade secrets and commercial or

financial information obtained from a person or business where the trade secrets or information are proprietary, privileged or confidential, or where disclosure of the trade secrets or information may cause competitive harm.” 5 ILCS §140/7. The information contained in PE Services’ Dekatherm Report falls within this exemption.

7. PE Services seeks an Order from the Commission, without hearing, protecting from disclosure, for a period of not less than five years from the date of such Order, the trade information contained in PE Services’ Dekatherm Report.

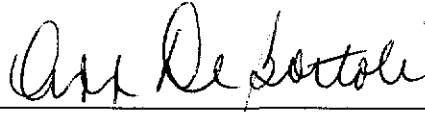
8. By Order dated April 7, 2004 in Docket No. 04-0176 and Order dated May 17, 2005 in Docket 05-0130, the Commission previously granted proprietary and confidential treatment to PE Services’ dekatherm report. For the foregoing reasons, there are now compelling reasons for also affording this Dekatherm Report similar confidential and proprietary treatment.

WHEREFORE, Peoples Energy Services Corporation respectfully requests that the Commission enter an Order, without hearing, protecting from disclosure for a period of not less than five years, PE Services’ Dekatherm Report, which was filed by overnight delivery, with the Chief Clerk of the Commission on February 27, 2006 pursuant to Part 551 regarding PE Services’ Dekatherm Report.

Respectfully submitted,

PEOPLES ENERGY SERVICES CORPORATION

By :



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Vice President

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STATE OF ILLINOIS)
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COUNTY OF COOK)

VERIFICATION

Ann DeBortoli, being first duly sworn, deposes and says that she is Vice President for Peoples Energy Services Corporation; that she has read the foregoing Petition and knows the contents thereof; and that the statements therein contained are true to the best of her knowledge, information and belief.

By: Ann DeBortoli
Ann DeBortoli
Peoples Energy Services Corporation

SUBSCRIBED and SWORN to
before me this 27th day of February 2006.

Shirley A. Gamm
Notary Public